

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUZ GONZÁLEZ BERMÚDEZ

Plaintiff

v.

ABBOTT LABORATORIES P.R. INC. *et al*

Defendants

CIVIL NO. 14-1620 (PG)

AGE DISCRIMINATION;
RETALIATION; DAMAGES

TRIAL BY JURY DEMANDED

**MOTION FOR PARTIAL MODIFICATION OF
REQUEST FOR INJUNCTIVE RELIEF**

TO THE HON. JUAN M. PÉREZ GIMÉNEZ:

COMES NOW plaintiff, Luz González Bermúdez (“González”), through the undersigned attorneys, and very respectfully informs, states and prays:

1. On October 25, 2016, the jury rendered a verdict in favor of González as to all her claims. Docket Entry (“DE”) 138.

2. Currently before the court’s consideration are, *inter alia*, Abbott’s post-judgment motions under Fed.R.Civ.P. 50(b) and 59; González’s corresponding oppositions; and Abbott’s reply. DE 163, 164, 165, 170 and 177. These were filed by the parties between November 28, 2016 and January 20, 2017.

3. Following the October 25, 2016 jury verdict, González also filed a Motion Requesting Injunctive Relief, which is under the court’s consideration. DE 144.

[2]

4. In her October 27, 2016 Motion Requesting Injunctive Relief, González claimed, among other things, that:

14. As the calendar year comes closer to its conclusion, so does the annual evaluation cycle at Abbott. *See e.g.*, Testimony of Luz M. Adames and Kim Pérez.

15. Unless a permanent injunction is entered ordering Abbott to promote Luz González Bermúdez to a Level 18 position, she will not be made whole as envisioned by Congress when it enacted the ADEA in 1967 and the effects of Abbott's discrimination and retaliation will be needlessly prolonged.

DE 144, p. 4, ¶15; *see also*, p. 5 ("Wherefore").

5. It is for the court to determine if González is entitled to the promotion requested, including the differential in compensation between her current Level 15 position and the Level 18 position, starting on March 18, 2013.

6. While this original request for injunctive relief was open-ended, it now has a date certain for any relief to be afforded by the court because González has decided to voluntarily retire, effective **April 13, 2018**.

7. Hence, her request for injunctive relief should be modified to cover from March 18, 2013 through April 13, 2018, her last day as an Abbott employee.

8. Except for the April 13, 2018 retirement date and the mootness of the requested order to cease and desist of any further discriminatory or retaliatory treatment, the rest of González's request for injunctive relief at DE 144 remains unchanged.

WHEREFORE, González very respectfully informs this Honorable Court of her voluntary retirement as an Abbott employee, effective **April 13, 2018** and, as a result, any injunctive relief to be afforded to her should extend through **April 13, 2018**.

[3]

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 26th day of March, 2018.

I HEREBY CERTIFY that today this document has been filed electronically through the CM/ECF system which will send notification to the parties to their registered email addresses.

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s/ Juan Rafael González Muñoz

JUAN RAFAEL GONZALEZ MUÑOZ

USDC-PR No. 202312